

R E M A R K S

By the present amendment, the specification is appropriately amended to delete references to the original claims, per the Examiner's suggestion.

Applicants note with appreciation the allowance of claims 15-26.

At item 6 of the Official Action, claim 27 was rejected under 35 USC §101 as allegedly being directed to non-statutory subject matter. That rejection is respectfully traversed, for the following reasons.

The position taken in the Official Action was that the phrase "a computer-readable recording medium" could be reasonably construed in light of paragraph [0094] of the specification to encompass data signals.

However, paragraph [0094] of the specification sets forth examples of a "computer-readable recording medium" as being "an HD, an FD, a CD-ROM, an MO disk, or a DVD." By contrast, the distinct term "transmission medium" is used by that paragraph to signify the program in a form such as data signals that be distributed via a network such as the Internet. Therefore, claim 27 cannot reasonably be interpreted as encompassing data signals within its literal scope.

As "a computer-readable recording medium" is an accepted term under the USPTO's current practice in applying 35

USC §101, and as the present specification uses that term consistent with its accepted meaning, it is believed that claim 27 is in compliance with 35 USC §101 and that the rejection on that basis should be withdrawn.

It is therefore believed that this application is now in condition for allowance, and allowance and passage to issue are accordingly respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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